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CRISI / 13009 / 301 / 98

26-3-98

DISPATCHED
DA

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THE 6TH DAY OF JANUARY 1998

BEFORE

THE HON'BLE M.R. JUSTICE KUMAR RAJARATNAM

CRIMINAL PETITION NO. 1732 OF 1997

Byrappa s/o Gavi Siddaiah,

aged about 27 years, R/a.

No. 2416, 4th Cross,

Paduvarahalli,

Mysore.

(Now in Judicial Custody)

...PETITIONER

(By Sri. E.S. Chandra Mouli, advocates)

- VS -

The State of Karnataka by

the police of Mahila Police

Station,

Mysore.

...RESPONDENT

(By Sri. M. Marigowda, HCGP)

Cr.P. filed u/s 439 Cr.P.C. by the
advocate for the petitioner praying that
this Hon'ble Court may be pleased to release
the petitioner on bail in Cr.No. 21/97 of Women's
Police Station, Mysore.

...2

The IIIrd Addl. Sessions Judge, Mysore has dismissed, rejected the bail application filed by the petitioner in CrI. Misc. 333/97 dated 16-6-97.

This Cr.P. coming on for Orders this day, the Court made the following:

O R D E R

On a complaint by the Tahasildar, a UDR case No. 7/97 had been registered u/s 174 Cr.P.C. on further investigation it was found that the deceased wife of the petitioner-accused committed suicide.

After completion of investigation a charge sheet has been laid for the offences u/s 498-A and 304-B IPC r/w sections 3, 4 and 6 of the Dowry Prohibition Act. The allegation against the petitioner was that he demanded dowry to the tune of Rs. Rs. 20,000/-, a Gold ring, and a Wrist watch. Consequently the deceased committed suicide.

The marriage took place in the year 1994 and the suicide was in the year 1997. It was submitted by the learned counsel

for the petitioner that the co-accused has been enlarged on bail and the petitioner has been in custody for 11 months. It was further submitted that there was harmonious relationship between the deceased and the petitioner from 1994 to 1997.

Considering the fact that the petitioner has been in custody for 11 months and that the investigation is over. I feel that the ends of justice will be met if the petitioner is enlarged on bail.

Accordingly the petitioner is enlarged on bail on his furnishing a bond for a sum of Rs. 5,000/- with two sureties in like sum to the satisfaction of the trial court and on condition that the petitioner deposits a sum of Rs. 30,000/- in the trial Court within six weeks from this day.

On such deposit, the trial court shall disburse the amount as interim compensation to CG-2 Mt. Yashodamma, the mother of the deceased.

the said deposit is made without prejudice to the rights of the petitioner in the trial.

If the said deposit is not made, the petitioner shall not be entitled to bail. On release of bail, the petitioner shall report before the I.O. once in a week on every Sunday between 10 a.m. and 4. p.m.

He shall also not leave the jurisdiction of Mysore District without leave of the trial Court.

If any of the conditions are violated the State is at liberty to move for cancellation of the bail.

Sd/-
JUDGE

T.BY: BT

COPY

C.BY: *KE*

W. Sundare Rao 2/3

R.BY: *M*

Assistant Registrar,
High Court of Karnataka,
Bangalore-560 001.

2/3/98

